

Sheehan & Associates, P.C. 60 Cuttermill Rd Ste 412
Great Neck NY 11021
Spencer Sheehan T (516) 268-7080
spencer@spencersheehan.com F (516) 234-7800

February 13, 2023

District Judge Ronnie Abrams
United States District Court
Southern District of New York
40 Foley Sq
New York NY 10007

Re: 1:22-cv-10847-RA
Mao v. Diageo North America, Inc.

Dear District Judge Abrams:

This office represents the Plaintiff. In accordance with the Court's Individual Rules, Plaintiff requests to adjourn the initial status conference is currently scheduled for March 3, 2023, at 3:30 PM until April 6, 2023, at 3:30 PM with accompanying submissions due by March 30, 2023.

This action was filed on December 23, 2022. ECF No. 1. The original date by which service is required to be proved to the Court is March 23, 2023. Fed. R. Civ. P. 4(m) (allowing 90 days for defendant to be served); Fed. R. Civ. P. 6(a)(1)(A)-(B) (excluding the date triggering the period and counting intermediate weekends).

On December 23, 2022, "a copy of the complaint, 2 copies of the waiver form appended to this Rule 4, and a prepaid means for returning the form" was sent to Defendant's registered agent as indicated on the summons. Fed. R. Civ. P. 4(d)(1)(C).

Plaintiff expects Defendant to waive service of process in accordance with the Federal Rules. The waiver of service will allow Defendant and any attorneys additional time to become familiar with the action and will result in the conservation of judicial resources. Fed. R. Civ. P. 4(d)(4).

There have been no previous requests for an adjournment of the initial conference and extension of time to file the accompanying submissions. Defendant has not appeared and therefore this request is without their consent. This request does not affect any other dates. This request is submitted at least 48 hours prior to the initial conference. Thank you.

Respectfully submitted,

/s/Spencer Sheehan

The initial status conference is hereby adjourned until April 6, 2023 at 2:30 p.m. Should this present a conflict for either party, they may make an application to the Court requesting that the conference be rescheduled. The parties shall submit their proposed case management plan and joint letter one week in advance of the conference.

SO ORDERED.



Hon. Ronnie Abrams
2/14/2023

Certificate of Service

I certify that on February 13, 2023, I served and/or transmitted the foregoing by the method below to the persons or entities indicated, at their last known address of record (blank where not applicable).

	CM/ECF	First-Class Mail	Email	Fax
Defendant's Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plaintiff's Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Courtesy Copy to Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

/s/ Spencer Sheehan